

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: **NOV 14 2014**

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INDEMNITY INSURANCE COMPANY OF  
NORTH AMERICA, as subrogee of  
CALSONIC KANSEI, N.A.,

Plaintiff,

- against -

AVERITT EXPRESS, INC.,

Defendant.  
-----X

14 Civ. 8166 (KBF)

**STIPULATION AND ORDER OF  
TRANSFER TO THE UNITED  
STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF  
TEXAS (Houston Division)**

WHEREAS, defendant Averitt Express, Inc. ("Averitt") has communicated its intention to challenge venue in this Court;

WHEREAS, the claim in suit arises from alleged damage to an interstate shipment which was shipped from a place in Texas and involves a road incident which occurred in Texas;

WHEREAS, Averitt consents to jurisdiction and venue in the United States District Court for the Southern District of Texas (Houston Division), which is a federal judicial district through which it operates;


WHEREAS, based on the aforesaid representations plaintiff consents to the transfer of this action to the proposed transferee court;

IT IS HEREBY STIPULATED AND ORDERED that the captioned action be and hereby is transferred pursuant to 28 U.S.C. § 1404(a) from this Court to the United States District Court for the Southern District of Texas (Houston Division); and

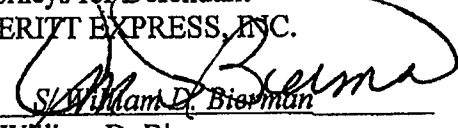
IT IS FURTHER STIPULATED AND ORDERED that the Clerk of this Court shall transfer the docket entries and documents on file in this Court to the Clerk of the United States District Court for the Southern District of Texas (Houston Division).

Dated: New York, New York  
November 12, 2014

So Ordered:

  
United States District Judge *usdj* 11/13/14

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